

REMARKS

Claims 1-29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wilson '533 ("Wilson") in view of JP '788. This rejection is respectfully traversed for the following reasons. In particular, even assuming *arguendo* proper, it is respectfully submitted that the proposed combination does not disclose the claimed invention.

Each of the independent claims embodies the feature whereby a device shifts into ordinary operation mode upon receiving event data when in the power saving operation mode. The Examiner admits that Wilson does not disclose this feature. Indeed, Wilson expressly discloses at col. 7, lines 23-25, cited by the Examiner, that "[t]hese devices emerge from the static state once an activity relevant to its operation is detected, e.g. *a pen event is detected*" (emphasis added). In this regard, Wilson is at best cumulative to the admitted prior art described at pages 1-2 of Applicants' specification in that "the user needs to shift the power saving operation mode back to the ordinary operation mode with *a user's deliberate operation*" (e.g., pen event; *see* page 2, lines 13-15 of Applicants' specification).

The Examiner therefore relies on JP '788 as allegedly disclosing "a wireless communication unit that shifts the display unit into the ordinary mode from the power saving mode when event data is received ..." (*see* page 3, last line – page 4, line 3 of outstanding Office Action). The Examiner thereby modifies Wilson with the alleged teachings of JP '788 in an attempt to reach the claimed invention. However, contrary to the Examiner's assertion, it is respectfully submitted that JP '788 does NOT disclose a wireless communication unit that shifts the display unit into the ordinary mode from the power saving mode when event data is received.

The Examiner references the Abstract of JP '788 as supporting his position. However, the Abstract merely describes the process by which the *information processing terminal* 8 (e.g.,

computer) is turned on in response to a “user’s deliberate operation” of a power source switch of the radio type *information inputting device* 1 (e.g., portable data terminal). Indeed, JP ‘788 expressly begins the description of the disclosed invention at the first line of the Solution section as follows:

“When a power source switch 7 of the radio type information inputting device *is pressed* ...”

(emphasis added). The Abstract of JP ‘788 is completely silent as to the “information processing terminal” 8 ever being in a power saving operation mode, let alone shifting out of the power saving operation mode when the event data is received in the manner recited in the pending claims.

Indeed, JP ‘788 is described at page 2, lines 13-15 of Applicants’ specification with respect to the admitted prior art as an example of a conventional device which requires a user’s deliberate operation to shift the power saving operation mode back to the ordinary operation mode.

In addition, claim 1, for example, further recites in pertinent part “an object event registering/monitoring unit for *specifying an event* and monitoring that the event occurs in said application software unit” (emphasis added). Even assuming *arguendo* that Wilson discloses monitoring the pen event, Wilson is completely silent as to “specifying” the pen event. Only Applicants have conceived and enabled a unit by which an event can be both specified and monitored.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in the independent claims because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on its own merits by adding novel and non-obvious features to the combination.

Based on all the foregoing, it is submitted that claims 1-29 are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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